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RCE/3731

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## REQUEST FOR CONTINUED EXAMINATION (RCE) TRANSMITTAL Application No. 09/666,452 September 21, 2000 Filing Date ADDRESS TO: Mail Stop RCE First Named Inventor Kleshinski **Commissioner for Patents** 3731 Group Art Unit P.O. Box 1450 Truong, Kevin Thao **Examiner Name** Alexandria, VA 22313-1450 NMT-010CP2 Attorney Docket No. This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application. NOTES RCE v. CPA: 37 C.F.R. § 1.114 is effective on May 29, 2000. If the above-identified application was filed prior to May 29, 2000, applicant may wish to consider filing a continued prosecution application (CPA) under 37 C.F.R. § 1.53(d) instead of a RCE to be eligible for the patent term adjustment provisions of the AIPA. FEE AND SUBMISSION REQUIRED: A submission as used in this section includes, but is not limited to, an information disclosure statement, an amendment to the written description, claims, or drawings, new arguments, or new evidence in support of patentability. If reply to an Office action under 35 U.S.C. 132 is outstanding, the submission must meet the reply requirements of § 1.111 (see 37 C.F.R. 1.114 (c)). RCE APPLIES TO: An application in which prosecution is closed (see 37 C.F.R. § 1.114 (b)). RCE DOES NOT APPLY TO: (1) A provisional application; (2) an application for a utility or plant patent filed under 35 U.S.C. 111(a) before June 8, 1995; (3) an international application filed under 35 U.S.C. 363 before June 8, 1995; (4) an application for a design patent; or (5) a patent under reexamination (see 37 C.F.R. 1.114(e)). 1. SUBMISSION REQUIRED UNDER 37 C.F.R. § 1.114 Enter and consider the unentered amendment under 37 C.F.R. § 1.116 previously filed on \_\_\_\_\_. Consider the arguments in the Appeal Brief or Reply Brief previously filed on \_\_\_ Amendment/Response enclosed. RECEIVED $\boxtimes$ Affidavit(s)/Declaration(s) enclosed. Information Disclosure Statement (IDS) enclosed. SEP 2 9 2003 PTO-1449 Copies of IDS Citations (A1-A44, C1-C4) $\boxtimes$ **TECHNOLOGY CENTER R3700** ii. Other 2. RCE FEE REQUIRED UNDER 37 C.F.R. § 1.114 Small entity status a. 🛛 was established in the prior nonprovisional application. is established herewith by the enclosed written assertion of entitlement to small entity status. i. A Petition and Fee for Extension of Time for \_\_\_\_ months up to and including \_\_\_\_ is enclosed herewith. ii. A check in the amount of \$ 519.00 (\$375.00 for the RCE Fee and \$144.00 for Amendment Claim Fees) is

The Commissioner is hereby authorized to charge the required fee(s), i.e., \$\_\_\_\_, to Deposit Account

submission under 37 C.F.R. §§ 1.16 and 1.17 to Deposit Account No. 20-0531.

The Commissioner is hereby authorized to credit overpayments or charge any additional fees required for this

e. 🛛

Request For Continued Examination (RCE) Transmittal Serial No. 09/666,452 Page 2 of 2

a. A Return Receipt F b. Other	US Postcard enclosed.			
TOTAL PROPERCY		SIGNATURE BLOCK		
CORRESPONDENCE ADDRESS		Respectfully submitted,		
Direct all correspondence to:	Patent Administrator Testa, Hurwitz & Thibeault, LLP High Street Tower 125 High Street Boston, MA 02110 Tel. No.: (617) 248-7000 Fax No.: (617) 248-7100	Date: September 24, 2003 Reg. No. 44,244 Tel. No.: (617) 248-7044 Fax No.: (617) 248-7100	Ronda P. Moore, D.V.M. Attorney for the Applicants Testa, Hurwitz & Thibeault, LLP High Street Tower 125 High Street Boston, MA 02110	

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Complete if Known					
Application Serial Number	09/666,452				
Filing Date	September 21, 2000				
First Named Inventor	Kleshinski				
Group Art Unit	3731				
Examiner Name	Truong, Kevin Thao				
Attorney Docket No.	NMT-010CP2				
Attorney Booker 140.					

METHOD OF PAYMENT		FEE CALCULATION (continued)				
1. Payment Enclosed:	3. ADDIT	IONAL FEI	ES			
Check Money Order Other	Large	Small				
	Entity	Entity	F Decemintion	Fee Paid		
2. The Commissioner is hereby authorized to credit	Fee	Fee	Fee Description			
or charge any fee indicated below for this submission	(\$)	(\$)				
to Deposit Account No. 20-0531.		(5	Surcharge - late filing fee or oath			
Required Fees (copy of this sheet enclosed).	130	65	Surcharge - late provisional filing fee			
Additional fee required under 37 CFR 1.16 and	50	25	or cover sheet			
1.17.		120	Non-English specification			
Overpayment Credit.	130	130	Request for ex parte reexamination			
3 Applicant claims small entity status.	2,520	2,520	Extension for reply within first month			
FEE CALCULATION	110	55	Extension for reply within second			
1. FILING FEE	410	205	month	Ì		
1. Tibar of a	020	465	Extension for reply within third month			
Large Entity	930	725	Extension for reply within fourth			
Fee (\$) Fee Description Fee Paid	1450	123	month			
	1970	985	Extension for reply within fifth month			
TYPE CT	320	160	Notice of Appeal			
750 Utility filing fee	320	160	Filing a brief in support of an appeal			
· 330 Design filing fee	280	140	Request for oral hearing			
160 Provisional filing fee	130	130	Petitions to the Commissioner			
	180	180	Submission of Information Disclosure	1		
Number Number Rate Amount			Statement			
Filed Extra	750	375	Filing a submission after final rejection (37 CFR 1.129(a))			
Total Claims - 20 = x \$ 18.00 =	750	375	For each additional invention to be			
total Claims 20	1		examined (37 CFR 1.129(b))	<u> </u>		
Independent	100	100	Certificate of Correction for applicant's error	l		
Claims - 3 = x \$ 84.00 =	0.4 6.76	:6.0	Request for Continued Examination	375.00		
	Other fee (S	pecity)	(RCE)			
☐ Multiple Dependent Claim(s), if any \$280.00 =			(RCL)			
TOTAL:						
SMALL ENTITY DISCOUNT:						
SUBTOTAL (1) (\$) 0.00	7					
2. AMENDMENT CLAIM FEES	$\neg$		22-magray (2)	(\$) 375.00		
Claims Highest No. Present Rate Fee Paid	·   RF	CEIV	/ED SUBTOTAL (3)	(\$) 373.00		
Remaining Previously Extra	• 11	RECEIVED SUBTOLIZE (3) CONTROLLED				
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10141 44	1	SUBTOTAL (2) 144.00				
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Claim =	1					
TOTAL: (\$)288.00						
SMALL ENTITY DISCOUNT: (\$)144.00			TOTAL (\$)	519.00		
SUBTOTAL (2) (\$)144.00	<u>'</u>		IOIAL (3)			
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CORRESPONDENCE ADDRESS			Respectfully submitted,			
Direct all correspondence to:		~.1	$(A)^{T} \wedge (A) \wedge $	11 MA		
Patent Administrator	Date: Sept	Date: September 24, 2003 Kanda F. Mun D. V.M.				
Testa, Hurwitz & Thibeault, LLP	Reg. No.:	Reg. No.: 44,244 Ronda P. Moore, D. V.M.				
High Street Tower-125 High Street	Tel. No.: (	(617) 248-7	Attorney for the Applicar 7100 Testa, Hurwitz & Thibea	ilt LIP		
Boston, MA 02110	Fax No.:	(617) 248-7	7100 Testa, Hurwitz & Thibea High Street Tower-125 F	ioh Street		
Tel. No.: (617) 248-7000				1511 511001		
Fax No.: (617) 248-7100			Boston, MA 02110			